

CONSIDERATIONS

In Behalf of the

BOOKSELLERS of London and Westminster,
petitioning the Legislature for Relief.

AS the important question of Literary Property has been so recently decided before the Supreme Judicature of the kingdom, it would be unbecoming to enter upon the grounds which originally led the Petitioners to imagine that they had a perpetuity in Copy-right.—The House of Peers, to whose decision they submit with the most profound veneration, has convinced them of their mistake; and they now only hope that the authority of what was considered law, which gave so long a sanction to their error, together with the peculiar hardship of their case, may be admitted to operate in their favour for relief.

It is with unspeakable concern, the Petitioners find an idea sedulously inculcated by their opponents, that their present supplication for relief, is an opposition to the late decision of the Peers.—So gross a misrepresentation of the fact must manifestly shew, that the most unwarrantable arts are practised to prejudice the Petitioners.—Men may be just objects of parliamentary tenderness, in cases where they have no legal right to redress; and the wisdom of the British Peers will sufficiently distinguish between a daring oppugnance to their just determination, and an humble appeal to their known humanity.

The opposition to the relief solicited, is grounded on the following allegations:

First—That it will secure a monopoly to the Petitioners, who have already acquired large fortunes.

To this the Petitioners reply, that the Bookselling Business is by no means the very advantageous trade which some people may possibly conceive it—Nor are the Booksellers, when compared with other tradesmen, in the least remarkable for their opulence.—In fact, *what property they are possessed of, is chiefly invested in copies, and in large impressions of books now lying unsold in their warehouses, which they have printed, from time to time, to the amount of many thousand pounds.*

The Petitioners for relief beg leave to observe, that the sale even of the best Authors is neither so rapid as their opponents represent*, nor is a literary

* To prove this assertion, a list of capital Authors is printed and given with the present Case, by which it appears (that among very many others) an edition of Addison's works, in 4 volumes 4to, has been on sale - 33 years,

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| Ainsworth's Dictionary, 2 vols. folio, | - | 22 |
| Ditto, 4to, though so universally used in schools, | - | 12 |
| Dr. Clarke's works, 4 vols. folio, | - | 26 |
| Ditto's Sermons, 11 vols. 8vo, | - | 24 |
| Ditto, 8 vols. 8vo, | - | 18 |
| Ditto, 11 vols. 18vo, | - | 25 |
| Tillotson's works, 3 vols. folio, | - | 23 |
| Ditto, 12 vols. 8vo, | - | 16 |
| Ditto, 12 vols. 18vo, | - | 25 |

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literary copy in the least like a mechanical invention, though it is so often compared to one. The purchase money of a *single* orrery, a clock, or any other piece of mechanism, always amounts to much more than the expence of the materials and manual labour employed in making it, and the seller has a reasonable profit if he disposes solely of *one*.—But the case with respect to books, is diametrically the reverse—the mere printing of a single book (if books were to be printed copy by copy, just as they were called for) would cost more than an hundred times the price at which it is sold; it is therefore necessary, in order to enable the Bookseller to sell *each particular book*, at a reasonable rate, to print off a large number at one impression; and as it is in proportion to the number which he sells, not to the high value which he sets upon *each particular book*, his profits are to arise, it is always his interest to make his prices as low as possible. Let the opposers of the bill for relief say what they will, it is a notorious fact that a Bookseller cannot, in *any* instance, be repaid the *bare* expence of *paper, printing and advertising*, till the greatest part of the impression is sold.—The unprejudiced will therefore think what a number the Bookseller must sell, where he has a large sum to pay also for the *copy*, and then conclude, as the sale *after all* is *uncertain*, whether the bookselling business can, in the nature of things, be so very lucrative a profession as it is represented.

In a case nearly similar to that of the Petitioners for relief, the Legislature, to encourage engraving, by an Act made in the 8th year of George II. granted the proprietors of maps and prints, an exclusive term of 14 years; and by another Act passed in the 7th year of his present Majesty, the proprietors obtained an absolute unconditional term of 28 years.—Yet the expence of plates, and printing either prints or maps, is trifling when compared to what must be expended on the edition of a book.—Maps or prints may be printed off, from the same copper-plate in small numbers, as the demand for them arises, since the plate will last for many years.—But as soon as a few sheets of a book are printed, the types must of necessity be separated, and upon every new edition require of equal necessity to be re-composed.

The second objection to granting the relief is, That it will keep up the price of books, greatly to the injury of the Public.—This cannot be; because for the reasons already given, the Booksellers profit depends upon the *number* of any work he sells, not upon the *price* of each particular book; and long before Mr. Donaldson's commencing business, the Petitioners reduced the price of valuable books.—Clarke's and Tillotson's sermons, for instance, the Spectators, Guardians, and Tatlers, Rolin's Ancient History, Spencer's works, Milton's, and many other Authors of distinguished character, were sold upon the most moderate terms; and continue to be so, even upon lower terms than Mr. Donaldson's, though their editions are greatly superior to those printed by him.

By the List alluded to, it moreover appears, that the Petitioners, though charged with printing no good books of easy purchase, for the lower orders of the people, have consulted the convenience of *all* orders, in the different sizes of their publications; but from this they claim no merit whatever, because it is as much their interest to accommodate their prices to the pockets of the humblest, as of the highest rank in the community.



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It is said, in the third place, That if relief is granted to the Petitioners, learned men will be prevented from improving their works, to the great injury as well of science, as of their own reputation.—It is much more reasonable however to suppose, that men of learning will be deterred from improving their works, if the denial of the relief which is humbly supplicated, leaves their fame an easy prey to the inroads of ignorance or avarice.—In all the books printed by the opponents of the Petitioners, not one improvement has been made.—On the contrary, Mr. Donaldson, the principal, in Pope's Homer, has omitted above 23,000 lines of what the Author judged absolutely necessary for the elucidation of his work, and yet sells it as the genuine publication of Mr. Pope, without giving any hint whatever to the purchaser, of so extraordinary a mutilation.—Far different has been the conduct of the Petitioners.—There are few instances of a new edition of any living Author's work being printed, without submitting it to his correction and improvement.—For though a Bookseller at first buys an Author's absolute right, yet he pays him for the revising every edition, whenever necessary; and in this business of correcting (as most works are capable of some improvement) Authors have frequently received as much, in process of time, as their original copy-money amounted to.—Many books, such as Dictionaries and Lexicons, are a continual expence to the Printer, because every edition must be carefully corrected; and the Petitioners can make it appear, that, over and above their first copy-money, near 12,000 l. has been expended in improving works of distinguished merit.—Yet they are represented as enemies to literature, and learning is to sustain an irreparable injury if they are favoured with relief.

The mode of their application likewise is a fresh object of complaint.—They are accused of seeking relief by an *ex post facto* law; yet they humbly hope, that the nature of their case will extenuate this circumstance, since they could not petition for a remedy to any grievance, till the grievance actually existed.—Mrs. Hogarth, when relieved, was relieved by an *ex post facto* law.—The wisdom of the Legislature was not to be diverted by any want of popularity in the mere *name* of the act, from attending to the hardship of her case; and neither the art of engraving, nor the public good, have been in the least affected by that gracious extension of Parliamentary Benevolence.

It is finally objected, “ That if the London Booksellers, who gave a large price for their copies, are relieved, the Scotch Booksellers, who gave no price for copies *at all*, will be much injured; that their paper manufactory will be greatly affected, the art of printing will receive a mortal wound, and every branch connected with it, will be proportionably prejudiced, to the material detriment of the revenue.”—Let it be granted for argument sake, that the London Booksellers, under the peculiar hardships of their case, are favoured with the relief which they solicit: Let it be supposed that the Scotch Counter-petitions are built upon the basis of the most positive facts; that the printing and paper manufactory of Scotland must be greatly affected; and that numbers must of consequence be plunged into distress.—Yet even upon *this* ground, Which should be first consulted, the good of the comparative *many*, or the welfare of the comparative *few*?—If granting the relief will injure hundreds in Scotland, the denial of it will be the ruin of thousands

lands in England.—The various manufacturers dependent on the English Press, multiply at least in a tenfold *ratio*, to those dependent upon the Press in Scotland. The revenue, besides, accruing from the first, is infinitely superior to that arising from the latter; so that, even in a political view, this objection is wholly indefensible.

The Booksellers of Scotland in their petitions complain, that the encouragement to men of learning in London, almost entirely confines the original printing of every Scotch Author's works to this capital; they nevertheless, with the same breath, call the Booksellers of London, *oppressors* of genius, and represent the very rewards bestowed on writers of merit, as an absolute injury to the advancement of literature.

With a similar degree of consistency, the Booksellers of Scotland affect a great regard for the interest of Authors;—yet Authors of the first character entirely disapprove of their opposition: Dr. Hurd, Dr. Robertson, Dr. Beattie, David Hume, Esq; and others, not only entertain an advantageous idea of the Petitioners, but even think that the interest of letters will be materially affected, unless their prayer is granted by the Legislature.—This is a circumstance which the Petitioners observe with singular satisfaction; because it is a proof no less forcible in favour of the relief they solicit as traders, than a testimony honourable to their reputation as men.



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